

## CITY COMMISSION MINUTES

April 15, 2008

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, April 15, 2008 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, and Mick Wunder. Staff present was: City Manager Rod Barnes, City Clerk Tricia Gowen, and City Attorney Catherine Logan.

### PLEDGE OF ALLEGIANCE

### CONSENT AGENDA

Commissioner Talley moved, seconded by Commissioner Wunder to approve the Consent Agenda. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **April 1, 2008**, City Commission meeting minutes.
- b. The consideration of **Appropriation Ordinance** dated March 27, 2008 through April 10, 2008, in the amount of \$1,744,816.72.
- c. The consideration and approval of **Ordinance G-1036** approving the text amendment to add GIS Information requirements to the Junction City – Geary County, Kansas Subdivision Regulations. (MPC voted unanimously to approve) (Final Reading)
- d. The consideration and approval of **Ordinance S-3002** to consider a rezoning request for property at 626 West 4th Street, Lots 12, 13 & 14, Block 1 Fairview Addition, from Duplex Residential District (RD) to Multiple-Family Residential District (RM) (The MPC unanimously voted to approve the rezoning) (Final Reading)
- e. Monthly Reports:
  1. Personnel Report
  2. Water Department
  3. Rolling Meadows Golf Course
  4. Police Department
  5. Fire Department/EMS
  6. Recreation
- f. The consideration and approval of **Pay Request** by Kaw Valley Engineering for professional design services through January 30, 2008, on the Spring Valley Road Corridor Improvements, in the amount of \$19,571.00.
- g. The consideration and approval to **Request to Advertise for Bids** for engineering proposal for the design of the Spin City parking lot and the Public Works parking lot.
- h. The consideration and approval for **Grant Application** for the 2008 Bureau of Justice Bulletproof Vest Partnership Funds. Cost of bulletproof vest is \$680.00 plus \$10.00 shipping. Total cost of 47 vests is \$32,430.00. The grant is a 50% match. Cost to the City would be

\$16,215.00, and funds will come from the Police Department Uniform account as a budgeted item in the 2009 and 2010 budgets.

- i. The consideration and approval of **Pay Request #3** by J&K Contracting, LC for construction services provided through March 25, 2008, for Tom Neal Industrial Park, in the amount of \$76,665.90.
- j. The consideration and approval of **Pay Request #3** by J&K Contracting, LC for services rendered through March 25, 2008, for Turkey Hollow, in the amount of \$86,261.40. (Project is 68.5% complete.)
- k. The consideration and approval of **Pay Request #1** by J&K Contracting, LC for construction services through March 25, 2008, for Turkey Ridge Addition, in the amount of \$136,160.66.
- l. The consideration and approval of **Pay Request #6** by J&K Contracting, LC for services completed through March 25, 2008, for Michael's Run Addition, in the amount of \$26,395.20. (Project is 98.5% complete.)
- m. The consideration and approval of **Pay Request #3** by J&K Contracting, LC for services completed through March 25, 2008, for Spring Valley Road-Lacy to Strauss, in the amount of \$125,943.74. (Project is 63.9% complete.)
- n. The consideration and approval of **Pay Request #2** by HWS for services through February 23, 2008, in the amount of \$1,894.00.
- o. The consideration and approval of **Temporary Liquor License and Noise Waiver** for the 25th Anniversary of the Library Party on May 9, 2008, from 5:30 p.m. to 7:30 p.m. in the adjacent parking lot.
- p. The consideration and approval of **Pay Request** by Ben Kitchen's for house at 1804 N. Madison (Buffalo Soldier Housing Rehabilitation Grant), in the amount of \$18,688.00.
- q. The consideration and approval of **Pay Request #2** by Big D Development, LC, for services completed through February 12, 2008, for Sutter Woods, in the amount of \$113,305.32. (Project is 100% complete and \$2,015.00 was removed for Spring Valley Road entrance.)  
**(REMOVED FROM AGENDA.)**
- r. The consideration and approval of **Pay Request #2** by Big D Development, LC for services completed through February 12, 2008, for Sutter Highlands, in the amount of \$439,425.56. (Project is 100% complete and \$1,769.34 was removed for Spring Valley Road entrance.)  
**(REMOVED FROM AGENDA.)**
- s. The consideration and approval of **Pay Request** for HWS Consulting for services related to the Rehabilitation of Taxi lanes project at Freeman Field Airport, in the amount of \$54,878.25.

#### **APPOINTMENTS**

- a. The consideration and approval of appointments of the following persons to the **Historic Preservation Board** for a three-year term:

1. Ed Hooker
2. L'Tanya D. Pugh

Commissioner Talley moved, seconded by Commissioner Wunder to approve the appointments of Ed Hooker and L'Tanya D. Pugh to a three-year term to the Historic Preservation Board. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

- b. The consideration and approval of appointment of Danny Thompson to the **Human Relations Commission** for a three-year term. Commissioner Wunder moved, seconded by Commissioner Heldstab to approve the appointment of Danny Thompson to the Human Relations Commissioner for a three-year term. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

## **CELEBRATIONS**

Water Utilities/Park Department. Ed Lazear, Water Utility & Park Director share the department's vision and goals of how to provide excellent customer service and recreational and fitness opportunities for the citizens of our community.

## **SPECIAL PRESENTATIONS**

- a. Kirk Short, co-owner Re/Max Realty, presenting project for a strip-mall with three to four standing buildings for restaurants on the N.E. Corner of I-70 and Hwy 77. Mr. Short and his business partner, Mike Hampton, stated that they are seeking a TIFF district for this property due to the pore ground condition. They are seeking the approval of the City for the TIFF district. They have spoken with the County and the School District and both entities have had a positive response. They are planning for five buildings and three parcels of land that will include restaurants, a bank and retail space. They do not want to compete with the Smoky Hill Marketplace. This area will be geared toward neighborhoods. They are currently working with several companies to bring their businesses to this area. Freddy's Frozen Custard has made a commitment. Mr. Hampton stated that if they are successful in securing commitments from restaurants, the other businesses will follow. They have also talked about having current businesses in the community open additional or satellite stores in their shopping area. Commissioner Talley asked City Manager, Rod Barnes, if it would be possible to include a traffic signal on US-77 in the TIFF process. Mr. Barnes stated he thought this was possible. Mr. Short and Mr. Hampton would start the project within 30 days if possible. However, the TIF process takes time. They plan to begin as soon as the TIF district is approved. They are looking at laying foundations in mid-late November and opening in March or April of 2009. Mr. Short and Mr. Hampton are building to own or lease. They are planning this project as a retirement. The TIF will be for property tax; no sales tax is involved. Mr. Short and Mr. Hampton will front the expenses for infrastructure before benefiting from the TIF. Commission Wunder moved, seconded by Commissioner Heldstab to approve the City staff to negotiate with Mr. Short and Mr. Hampton to begin the process for the TIFF district. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

## YOUTH COMMISSION COMMENTS

- a. The induction of new youth commissioners Abbey Tabor and Danny Denio. Mayor Rhodes and City Clerk, Tricia Gowen, inducted Ms. Tabor and Mr. Denio into the Youth Commission.

## NEW BUSINESS

- a. Election of Mayor. Mayor Rhodes turned the gavel over to City Manager Rod Barnes for the nominations for the office of Mayor. Commissioner Heldstab nominated Commissioner Wunder for Mayor. The motion was seconded by Commissioner Talley. Ayes: Heldstab, Rhodes Talley, Wunder. Nays: None. Motion carried. City Manager Rod Barnes closed the nominations.
- b. Election of Vice Mayor. Mayor Wunder asked for nominations for the office of Vice-Mayor. Commissioner Talley nominated Commissioner Rhodes for Vice-Mayor. Nomination was seconded by Commissioner Heldstab. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried. Mayor Wunder presented Vice-Mayor Rhodes with a gift for his service as Mayor for the past year and thanked him for his hard work. Vice-Mayor Rhodes stated that he couldn't have done it without the support of the Commission and City staff.
- c. Appointment of commissioners to City Boards. Mayor Wunder recommended the following appointments for City Commission representation to the various City Boards.

1. Health Board	Commissioner Talley
2. Economic Development Commission	Commissioner Rhodes
3. Convention and Visitors Bureau	Commissioner Heldstab
4. Animal Shelter	Commissioner Taylor
5. Military Affairs	Commissioner Wunder
- d. Commission appointment of official City Newspaper (Daily Union). Commissioner Rhodes moved, seconded by Commissioner Talley to appoint the Junction City Daily Union as the official City Newspaper. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- e. Designation of area of representation: Northwest, Northeast, Southwest, Southeast. Mayor Wunder assigned the following City Commissioners to their area of representation:

Commissioner Rhodes	Northwest
Commissioner Heldstab	Northeast
Commissioner Talley	Southwest
Commissioner Taylor	Southeast
- f. The consideration and approval for **KDOT to Award Contract** to Smoky Hill, LLC, for the East Chestnut Street Round-a-bout Grading & Concrete Pavement Project, in the amount of \$1,386,174.99. KDOT Bureau of Local Projects administers this project. KDOT requires Commitment of City for the matching of Federal funds at \$1,080,000.00 which includes construction costs and construction engineering costs. Assistant City Manager, Mike Guinn, informed the Commission that the City's portion of the matching funds will come from the revolving loan fund. The project is expected to begin June or July 2008 and will

go into the winter. All businesses will have access to the road at all times. Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve KDOT to Award Contract to Smoky Hill, LLC, for the East Chestnut Street Round-a-bout Grading & Concrete Pavement Project in the amount of \$1,386,174.99, with the City providing for the matching of Federal funds at \$1,080,000.00 which includes construction costs and construction engineering costs. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

- g. The consideration and approval for **KDOT to Award Contract** to Smoky Hill, LLC, for the East Chestnut Street Grading & Concrete Pavement Project from the Railroad Tracks to East Street, in the amount of \$1,849,478.81. KDOT Bureau of Local Projects administers this project. KDOT requires Commitment of City for the matching of Federal funds at \$422,379.00. Assistant City Manager, Mike Guinn, informed the Commission that this will be a five-lane road and the landscaping is included in the project and will run concurrent with the project as stated in 10 (f). Commissioner Heldstab moved, seconded by Commissioner Talley to approve KDOT to Award Contract to Smoky Hill, LLC for the East Chestnut Street Grading & Concrete Pavement Project from the Railroad Tracks to East Street in the amount of \$1,849,478.81 with the City providing for the matching of Federal funds at \$422,379.00. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- h. The consideration and approval of **R-2458** approving KLINK resurfacing project from Ash Street to 6<sup>th</sup> on Washington and Washington Street to Franklin on 6<sup>th</sup> Street. (Agreement approved April 1, 2008, without resolution.) Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve R-2458 approving KLINK resurfacing project from Ash Street to 6<sup>th</sup> on Washington and Washington Street to Franklin on 6<sup>th</sup> Street. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- i. The consideration and approval of the following **Neighborhood Revitalization Applications**:
  - 1. Charles and Mary Carter (Self-Help Housing) to build a single family home at 236 E. 12<sup>th</sup> Street at an approximate cost of \$101,500.00. Project qualifies for 95% tax rebate for years 1-3; 80% tax rebate year 4; 70% tax rebate year 5; 60% rebate year 6; 50% tax rebate year 7; 40% tax rebate year 8; 30% tax rebate year 9 and 20% tax rebate year 10. (EDC voted unanimously in favor.) Commissioner Talley moved, seconded by Commissioner Rhodes to approve the Neighborhood Revitalization Application for Charles and Mary Carter to build a single family home at 236 E. 12<sup>th</sup> Street at an approximate cost of \$101,500.00. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
  - 2. Carmen Dee Anne Rivera (Self Help Housing) to build a single family home at 1621 N. Monroe at an approximate cost of \$106,940.00. Project qualifies for 95% tax rebate for years 1-3; 80% tax rebate year 4; 70% tax rebate year 5; 60% rebate year 6; 50% tax rebate year 7; 40% tax rebate year 8; 30% tax rebate year 9 and 20% tax rebate year 10. (EDC voted unanimously in favor.) Commissioner Talley moved, seconded by Commissioner Heldstab to approve the Neighborhood Revitalization Application for Carmen Dee Anne Rivera to build a single family home at 1621 N. Monroe at an approximate cost of \$106,940.00. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

3. Bianca Lett (Self Help Housing) to build a single family home at 1515 N. Monroe at an approximate cost of \$103,000.00. Project qualifies for 95% tax rebate for years 1-3; 80% tax rebate year 4; 70% tax rebate year 5; 60% rebate year 6; 50% tax rebate year 7; 40% tax rebate year 8; 30% tax rebate year 9 and 20% tax rebate year 10. (EDC voted unanimously in favor.) Commissioner Talley moved, seconded by Commissioner Rhodes to approve the Neighborhood Revitalization Application for Bianca Lett to building a single family home at 1515 N. Monroe at an approximate cost of \$103,000.00. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

Commissioner Heldstab asked Self-Help Housing Director, Dan Pfizenmaier, if the families understood that they have to pay their taxes on time or they will be disqualified from the tax rebate. Mr. Pfizenmaier stated that the families are instructed of this provision several times throughout the process. City Manager, Rod Barnes, stated that the taxes are built into the house payment and therefore paid automatically. It was announced that a ribbon cutting ceremony will take place on April 26<sup>th</sup> at 318 16<sup>th</sup> Street Circle. This event will close the current round (five families will receive the keys to their new homes) and will also be the ground breaking for the next set of houses.

- j. The consideration and approval of **Extension of Time** by new owner for property at 316 N. Washington to make necessary repairs. (Condemnation was set for March 19, 2008.) Acting Codes Administrator, Mark Karmann, informed the Commission that Bernard Rosey has purchased the property at 316 N. Washington on April 8, 2008, paid the taxes and has begun the necessary repairs. Mr. Rosey asked for an additional three to four month extension to make the repairs. Mr. Karmann's recommendation was to allow Mr. Rosey an additional 120 days. Commissioner Rhodes moved, seconded by Commissioner Talley to approve an extension of 120 days for the new owner to make the necessary repairs for the property at 316 N. Washington. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- k. The consideration and approval of **R-2459** to sell property located at 219 E. 17<sup>th</sup> Street to Matt Paquette (High School House). Commissioner Rhodes moved, seconded by Commissioner Talley to approve R-2459 to sell the property located at 219 E. 17<sup>th</sup> Street to Matt Paquette. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- l. The consideration and approval of **R-2461** providing the financing of the costs of construction improvements to the Bartell House parking lot. Commissioner Heldstab moved, seconded by Commissioner Rhodes to approve R-2461 providing the financing of the costs of construction improvements to the Bartell House parking lot. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- m. The consideration and approval of **Ordinance S-3005** authorizing the issuance of General Obligation Bonds, Series DQ and Taxable General Obligation Bonds, Series DR. (First Reading). David Artberry briefed the Commission regarding the process of these bonds. Commissioner Rhodes moved, seconded by Commissioner Talley to approve Ordinance S-3005 authorizing the issuance of General Obligation Bonds, Series DQ and Taxable General Obligation Bonds, Series DR (First Reading). Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.
- n. The consideration and approval of **R-2463** authorizing the offering for sale of General Obligation Bonds, Series DQ; Taxable General Obligation Bonds, Series DR and General

Obligation Temporary Notes, Series 2008-A. Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve R-2463 authorizing the offering for sale of General Obligation Bonds, Series DQ, Taxable General Obligation Bonds, Series DR and General Obligation Temporary Notes, Series 2008-A. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

- o. The consideration and approval of **Break-In Access** to Interstate 70 by American Communities, Inc., for Taylor Road, two miles west of I-70 and US Hwy 77 or 2.5 miles east of I-70 & Milford Lake Road, for proposed interchange. American Communities, Inc., will cover the civil design and construction costs of this project. (No funding is being requested from KDOT for this project.) **(TABLED TO THE APRIL 29<sup>TH</sup> COMMISSION MEETING.)**

## **GENERAL DISCUSSION**

*(The Commission requests that comments be limited to a maximum of five minutes for each person).*

**Ron Haynes – 311 E. 10<sup>th</sup> Street.** Mr. Haynes presented the Commission with his concerns regarding the potholes that are located by his business on East 10<sup>th</sup> Street, as well as the drainage problem in the street. He also commented on the alley behind H&R Block that needs to be addressed. Mayor Wunder stated that the City staff would look into his concerns and schedule a meeting with him to discuss possible solutions.

## **COMMISSIONER COMMENTS**

**Commissioner Heldstab** welcomed home the 4<sup>th</sup> Brigade. He also thanked Mike Rhodes for his time as Mayor and stated it will be good working with Mick Wunder as the Mayor in the upcoming year.

**Commissioner Talley** welcomed home the 4<sup>th</sup> Brigade and thanked Mike Rhodes for his year as Mayor and wished Mick Wunder the best in the upcoming year.

**Commissioner Rhodes** thanked the Commission for their support during his time as Mayor and stated that he couldn't have done it without the support of the Commission and City staff. He also thanked his family and friends for their support. Commissioner Rhodes wished Mayor Wunder luck during his tenure as Mayor.

**Mayor Wunder** thanked Mike Rhodes for his service as Mayor. He stated that there is a major problem at Patriot Pointe with parking. He believes one side of the street will need to be "no parking" to allow emergency vehicles enough room to respond to calls in that area. He asked City Manager, Rod Barnes, to task the staff to research this issue. Mayor Wunder stated that he was pleased with the erosion control update that was provided by City Engineer, Christina Cook.

## **STAFF COMMENTS**

**City Manager, Rod Barnes,** stated there will be a work session on Thursday, April 17, 2007 at noon in the Commission room to discuss special assessments for Sutter Woods, Sutter Highlands and Olivia Farms. Mr. Barnes also stated that Neighborhood budget meetings will be held the week of April 21<sup>st</sup> at 6:30 p.m. The purpose of the meetings is to receive input from the community on items or projects they would like to see

accomplished for 2009 and beyond. Mayor Wunder stated that the purpose of these meetings is to focus on the future, not dwell on the past.

## ADJOURNMENT

Commissioner Rhodes moved, seconded by Commissioner Talley to adjourn at 8:15 p.m. Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 29<sup>th</sup> DAY OF APRIL, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR APRIL 15<sup>th</sup> 2008.

  
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Tricia Gowen, City Clerk

  
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Mick Wunder, Mayor